

Message Text

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11

ORIGIN EB-11

INFO OCT-01 ISO-00 AGR-20 CEA-02 CIAE-00 COME-00 DODE-00

FRB-02 H-03 INR-10 INT-08 L-03 LAB-06 NSAE-00 NSC-07

PA-04 RSC-01 AID-20 CIEP-02 SS-20 STR-08 TAR-02

TRSE-00 USIA-15 PRS-01 SP-03 FEA-02 OMB-01 SWF-02

AF-10 ARA-16 EA-11 EUR-25 NEA-14 /230 R

DRAFTED BY EB/OT/STA:JPCRAWFORD:CLJ

APPROVED BY EB/OT/STA;EWKEMPE

STR:BSTEINBOCK

TREAS:LCARLSON

AGRI:RTORRENS

EUR/RPE:JMCCARTHY

----- 083039

R 082247Z MAY 74

FM SECSTATE WASHDC

TO ALL DIPLOMATIC AND CONSULAR POSTS

UNCLAS STATE 095569

INFORM CONSULS

E.O. 11652: N/A

TAGS: ETRD, US

SUBJECT: WINE: NOTICE OF HEARING ON PROPOSED REGULATORY
CHANGES REGARDING METRIC STANDARDS OF FILL

1. POSTS SHOULD INFORM HOST GOVERNMENTS AND EC COMMISSION
THAT NOTICE OF HEARING IS SCHEDULED FOR PUBLICATION MAY 10
IN FEDERAL REGISTER ON REVISED REGULATIONS ON "METRIC
STANDARDS OF FILL" FOR WINE. BUREAU OF ALCOHOL, TOBACCO
AND FIREARMS (ATF) WILL HOLD PUBLIC HEARING TO BEGIN AT
10:00 AM (E.D.T.) ON TUESDAY, JUNE 11, 1974 IN THE GEORGE
S. BOUTWELL AUDITORIUM, SEVENTH FLOOR, INTERNAL REVENUE
SERVICE BUILDING, 1111 CONSTITUTION AVENUE, N.W., WASHING-
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TON, D.C. AT THAT TIME AND PLACE ALL INTERESTED PARTIES
WILL BE AFFORDED THE OPPORTUNITY TO BE HEARD, IN PERSON OR

BY AUTHORIZED REPRESENTATIVE, CONCERNING THE PROPOSED
REGULATORY CHANGES IN 27 CFR PART 4.

2. THOSE WHO WISH TO PRESENT ORAL TESTIMONY SHOULD WRITE
TO THE DIRECTOR, ATF, WASHINGTON, D.C. 20226, NOT LATER
THAN JUNE 4, 1974. ANY INTERESTED PARTY MAY SUBMIT WRITTEN
MATERIAL TO THE DIRECTOR, ATF, NOT LATER THAN JUNE 4, 1974.
ATF HAS INDICATED, HOWEVER, THAT IT WILL ALLOW A LIMITED
DEGREE OF LATITUDE IN RECEIVING WRITTEN REPRESENTATIONS
BEYOND THAT DATE.

3. FOR THE PURPOSES OF THESE PROPOSED CHANGES "WINE"
INCLUDES ALL STILL WINES, CHAMPAGNE AND OTHER SPARKLING
WINES, ARTIFICIALLY CARBONATED WINE, AND SPECIAL NATURAL
WINE. TEXT OF NOTICE OF HEARING WILL BE TRANSMITTED BY
AIRGRAM IMMEDIATELY FOLLOWING PUBLICATION IN THE
FEDERAL REGISTER. POSTS SHOULD, HOWEVER, ADVISE HOST
GOVERNMENTS ASAP UPON RECEIPT OF THIS TELEGRAM.

4. THE PROPOSED REVISIONS STEM FROM PETITION TO ATF BY
THE WINE INSTITUTE (A TRADE ASSOCIATION REPRESENTING A
NUMBER OF WINE PRODUCERS IN CALIFORNIA) WITH SOME MODIFI-
CATIONS AND AMENDMENTS BY ATF. FOLLOWING IS A SUMMARY OF
THE PROPOSED CHANGES:

(A) MAKE MANDATORY FOLLOWING METRIC BOTTLE SIZES FOR
U.S. PRODUCTION AND FOR IMPORTS: 3 LITERS, 1.5 LITERS,
1 LITER, 0.75 LITER, 0.375 LITER, 0.187 LITER. METRIC
SIZES WOULD BE VOLUNTARY FOR TWO YEARS, MANDATORY THERE-
AFTER, WITH EXEMPTION FOR WINE BOTTLED PRIOR TO EFFECTIVE
DATE OF NEW REGULATION.

(B) SPECIFY NUMBER OF BOTTLE UNITS THAT MUST BE
PACKED IN A SHIPPING CASE OR SHIPPING CONTAINER. FOLLOW-
ING WOULD BE MANDATORY FOR U.S. PRODUCTION AND FOR IMPORTS:

(CONTAINER SIZE) (UNITS PER CASE)

3 LITERS 4
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1.5 LITERS 6
1.0 LITER 12
0.75 LITER 12
0.375 LITER 24
0.187 LITER 48

(C) ELIMINATE PRESENT EXEMPTION OF IMPORTED WINES
FROM U.S. STANDARDS OF FILL (27 CFR 4.70(B)). THIS MEANS
THAT NOMINAL CAPACITY OF IMPORTED BOTTLE AND ITS STATED
CONTENTS MUST BE THE SAME TO CONFORM WITH U.S.

STANDARDS. THUS, U.S. 0.75 LITER BOTTLE WILL CONTAIN 0.75 LITERS OF WINE, WHILE ACTUAL CAPACITY OF BOTTLE, IF FILLED TO LIP, WOULD BE GREATER THAN 0.75 LITERS. THE SAME HOLDS TRUE FOR THE OTHER FIVE MANDATORY SIZES. IN ADDITION, THE HEADSPACE (AREA FROM LIP OF BOTTLE TO LEVEL OF LIQUID) COULD NOT EXCEED 6 PERCENT OF BOTTLE'S CAPACITY. IMPOSITION OF THESE U.S. STANDARDS OF FILL ON IMPORTED WINE WOULD BE VOLUNTARY FOR TWO YEARS, MANDATORY THEREAFTER, WITH EXEMPTION FOR WINE BOTTLED PRIOR TO EFFECTIVE DATE OF NEW REGULATION.

5. IMPORTED WINE WOULD REMAIN SUBJECT TO U.S. "TOLERANCES OF FILL". STATEMENT OF NET CONTENTS SHALL INDICATE EXACTLY VOLUME OF WINE WITHIN THE CONTAINER, EXCEPT FOR:

(A) DISCREPENCIES DUE EXCLUSIVELY TO ERRORS IN MEASURING WHICH OCCUR IN FILLING CONDUCTED IN COMPLIANCE WITH GOOD COMMERCIAL PRACTICE.

(B) DISCREPENCIES DUE EXCLUSIVELY TO DIFFERENCES IN CAPACITY OF CONTAINER RESULTING IN UNAVOIDABLE DIFFICULTIES IN MANUFACTURING SUCH CONTAINERS SO AS TO BE OF UNIFORM CAPACITY. PROVIDED, THAT NO GREATER TOLERANCE SHALL BE ALLOWED IN CASE OF CONTAINERS WHICH, BECAUSE OF THEIR DESIGN, CANNOT BE MADE OF APPROXIMATELY UNIFORM CAPACITY THAN IS ALLOWED IN CASE OF CONTAINERS WHICH CAN BE MANUFACTURED SO AS TO BE OF APPROXIMATELY UNIFORM CAPACITY.

(C) DISCREPENCIES DUE TO DIFFERENCES IN ATMOSPHERIC PRESSURE IN VARIOUS PLACES OR WHICH UNAVOIDABLY RESULT
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FROM NORMAL EVAPORATION. RUSH

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Message Attributes

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30 JUN 2005

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